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ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 SS-15 L-03 H-03 OMB-01

PA-03 USIA-15 PRS-01 SPC-03 DRC-01 /102 R

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CAB - F. MURPHY

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R 112124Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: ETRN, IT

SUBJECT: CIVAIR - CAPACITY CONSULTATIONS

REF : (A) STATE 170431 (B) ROME 10761 (C) ROME 10411

1. TWO DAYS OF CONSULTATIONS ENDED OCT. 11 WITH AGREEMENT
ON WINTER SCHEDULES.

2. DISCUSSIONS QUICKLY REVEALED THAT MAIN CONCERNS TO
ITALIAN SIDE WERE: (1) U.S. PASSENGER CAPACITY SCHEDULED
BY PAA AND TWA FOR MONTH OF MARCH 1974 AND (2) 18TH
ALL-CARGO FREQUENCY PROPOSED BY SWA. PROBLEM WAS AGGRA-
VATED BY MISUNDERSTANDING ON PART OF CIVILAVIA REGARDING
747 CAPACITY PROJECTED FOR WINTER SEASON. ITALIAN
DELEGATION ATTRIBUTED MISUNDERSTANDING TO EMBASSY NOTE
WHICH PRESUMABLY INDICATED 3 TWA 747S, ONE BEING FLT 844
WHICH IS ACTUALLY A 707. IN ANY EVENT, ITALIAN SIDE ACCEP-
TED, AND AGREED TO, U.S. DELEGATION'S CONFIRMATION THAT
WEEKLY PASSENGER SCHEDULES TO BE OPERATED IN MONTH OF
MARCH 1974 WILL BE:

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ROME: PAA 21 FREQUENCIES (ALL 707'S)
TWA 35 FREQUENCIES (OF WHICH 28 707'S AND
SEVEN 747'S)

MILAN: TWA SEVEN FREQUENCIES (ALL 747'S)

U.S. SIDE ALSO UNDERTOOK TO FILE THROUGH EMBASSY
SCHEDULES REFLECTING FOREGOING.

COMMENT: IT IS SUGGESTED THAT, IN FILING THESE AND
OTHER SCHEDULES, EMBASSY'S NOTE SIMPLY STATE THAT
SCHEDULES ARE BEING FORWARDED IN ACCORDANCE WITH 1970
MOU. THIS IS, IN FACT, PRACTICE ADOPTED BY ITALIAN
EMBASSY HERE, AND MIGHT HELP FORESTALL POSSIBLE
MISUNDERSTANDINGS BY CIVILAVIA OF SERVICES PROJECTED.
END COMMENT.

3. IN REGARD ALL-CARGO SERVICES, U.S. SIDE AGREED TO
REDUCE SCHEDULED FREQUENCIES TO 17 FROM 18 (NINE BY SWA,
FIVE BY TWA, AND THREE BY PAA), AND GAVE ASSURANCES
THAT SERVICES WOULD BE BY SAME TYPE OF AIRCRAFT AS
OPERATED IN PAST. ITALIAN DELEGATION IN TURN UNDERTOOK
TO PROVIDE "LIBERAL" TREATMENT OF APPLICATIONS FOR EXTRA
SECTIONS, AND TO PROCESS APPLICATIONS EXPEDITIOUSLY.
ITALIANS RESISTED U.S. PROPOSALS THAT, FIRST, EXTRA
SECTIONS BE SUBJECT ONLY TO PRIOR NOTIFICATION BY
AIRLINE (RATHER THAN PRIOR APPROVAL), AND, SECOND, THAT
APPLICATIONS BE ACTED ON BY CIVILAVIA SPECIFIED NUMBER
OF DAYS, OR HOURS, PRIOR TO DATE OR TIME OF FLIGHT
CONCERNED. ITALIANS TOOK LINE THAT FORMER CONSTITUTED
"BLANK CHECK" AND THAT MAIN FACTOR IN REGARD LATTER
PROPOSAL WAS FAILURE U.S. AIRLINES TO FILE APPLICATIONS
IN TIMELY MANNER.

4. IN REGARD TEXTUAL DISCREPANCIES IN 1970 MEMO OF
UNDERSTANDING, U.S. SIDE AGREED TO ITALIAN PROPOSAL THAT
ATTEMPT TO HARMONIZE TWO VERSIONS BE DEFERRED TO LATER
MEETING. ITALIAN SIDE, PLEADING INSUFFICIENT TIME TO
STUDY PROBLEM, MADE "THEORETICAL" PROPOSAL, PRESAGED
IN REF C, THAT USG ACCEPT ITALIAN VERSION OF PARA 5(A)
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OF MOU AND THAT GOI ACCEPT USG VERSION OF PARAS 5(B)
AND (D). HOWEVER, WORDING OF PROPOSAL WAS SUFFICIENTLY
"THEORETICAL" TO SUGGEST WE MAY STILL FACE CONCEPTUAL
PROBLEMS IN RESOLVING TEXTUAL ISSUE. U.S. SIDE TOOK
POSITION THAT NEGOTIATION RECORD INDICATES THAT
ENGLISH VERSION REFLECTS INTENTION OF NEGOTIATORS AT
ROME (ALSO MEADOWS AND SANTINI) WHOSE INTENT WAS TO
ESTABLISH PROCEDURES TO DEAL WITH CAPACITY INCREASES.

U.S. SIDE NOTED CONCEPTUAL INCONSISTENCY IN ITALIAN TEXT, ESPECIALLY, PARA 5(C), AND SAID U.S. REMAINS PERSUADED AS TO ABSOLUTE VALIDITY OF U.S. TEXT. PERSUADED AS TO ABSOLUTE VALIDITY OF U.S. TEXT.

6. U.S. SIDE SAID THAT ALITALIA EXEMPTION FROM LANDING FEES IN ITALY IS SUBJECT THAT MUST BE EXPLORED AT FUTURE MEETING. ITALIAN SIDE SAID PARLIAMENT NOW STUDYING QUESTION OF AIRFIELD MANAGEMENT AND THAT IN ALL LIKELIHOOD QUESTION OF ALITALIA'S EXEMPTION WILL TERMINATE WITH TRANSFER OF CONTROL TO LOCAL AUTHORITIES IN NEAR FUTURE.

COMMENT: EMBASSY MAY WISH TO COMMENT ON POSSIBILITIES. END COMMENT.

7. ITALIAN SIDE PUT U.S. ON NOTICE THAT GOI INTENDS TO PICK UP OPTION FOR EX POST FACTO REVIEW OF SUMMER EXPERIENCE IN U.S.-ITALY MARKET, PROBABLY NEXT JANUARY, IN ROME. U.S. SIDE TOOK NOTE OF ITALIAN INTEREST.

8. COPY NEGOTIATION BOOK AND MEMO OF CONSULTATION BEING POUCHED. KISSINGER

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